

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI**

|               |   |                            |
|---------------|---|----------------------------|
| LARONDA PHOX, | ) |                            |
|               | ) |                            |
| Plaintiff,    | ) |                            |
|               | ) |                            |
| v.            | ) | Case No. 11-00437-CV-W-DGK |
|               | ) |                            |
| MOTOR BANC,   | ) |                            |
|               | ) |                            |
| Defendant.    | ) |                            |

**ORDER**

Pending before the Court is Plaintiff's Motion to Add Additional Parties and Amend the Pleadings (Doc. 14). Furthermore, the Plaintiff seeks to amend the default judgment to \$75,000, the amount she pled in her complaint, and/or a hearing on damages. Docs. 15-17.

Though the Court entered default judgment, it is well-established that merely requesting a certain amount does not entitle a party to that amount. *See Patray v. Nw. Pub., Inc.*, 931 F. Supp. 865, 869 (S.D. Ga. 1996). The Plaintiff has provided no explanation of how she reached this figure or why it is the appropriate amount of the default judgment. Furthermore, it would be inappropriate to add parties to a judgment, because those parties have not had a chance to respond.

Accordingly, it is hereby ORDERED that plaintiff's motions are denied. Any other claims or parties must be pursued in separate litigation or by filing a motion for leave to amend the complaint.

Document 14 makes some references to amending the pleadings, but does not provide a proposed complaint. The Court cannot determine whether it is appropriate to amend the complaint without fully reviewing the proposed amendments. Regarding the default judgment, the Plaintiff should submit a sworn statement explaining her damages and how she calculated them. The Plaintiff shall submit both documents—a proposed amended complaint and a sworn statement of her damages—on or before August 29, 2011. Failure to meet this deadline will preclude further consideration of these

issues.

/s/ Greg Kays  
GREG KAYS, JUDGE  
UNITED STATES DISTRICT COURT

DATED: August 10, 2011